THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.20259 of 2005

14.9.2005

Between:

P.Vishnu Murthy, S/o.late Brahmaiah Naidu,

East Marredpally, Secunderabad.

… Petitioner.

AND

1. The District Collector, Hyderabad District,Hyderabad.

And another.

… Respondents

ORDER:

The petitioner claims to be owner of plot No.159 admeasuring 266 Sq.yards in Survey No.74/12 (GLR No.396) situated at Mahendra Hills, East Marredpaly, Secunderabad. The petitioner claims that he purchased the property under registered sale deed, made an application to the Secunderabad Cantonment Board for obtaining necessary permission and constructed a house on the plot. According to the petitioner, he is in continuous and uninterrupted possession of the schedule property, but the second respondent, namely, the Mandal Revenue Officer, Marredpally is interfering with the construction of the petitioner and tried to stop the construction. Therefore, the present writ petition is filed.

The learned Assistant Government Pleader for Revenue (General) submits that the land in Survey No.74/12 of Marredpally is a Government land. The Mandal Revenue Officer, Marredpally has filed a case being L.G.C. No.167 of 1997 before the Special Court under A.P. Land Grabbing (Prohibition) Act, 1982, which is pending. He also submits that the Special Court passed interim orders on 08.12.1998 in I.A.Nos.1405 to 1408 of 1998 in L.G.C.No.167 of 1997 restraining the Mandal Revenue Officer, Marredpally as well as the persons, who are in possession of the land, from making any further construction.

The petitioner purchased the property from Trimoorthy Weaker Sections Cooperative Society. It is submitted by the learned Government Pleader that the said society is a party in L.G.C. No.167 of 1997. Therefore, it would be in the interest of the Government as well as the petitioner to approach the Special Court and obtain necessary orders within a period of four weeks from the date of receipt of a copy of this order. Till then, the Mandal Revenue Officer shall not in any manner disturb the possession of the petitioner and the petitioner is also directed not to make any further construction till they obtain necessary orders from the Special Court.

The writ petition is, accordingly, disposed of. No costs.

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(**V.V.S.RAO,J**)

September 14, 2005.

NOTE:

Issue order copy by

WIRE at party's cost.

(B/o)

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